

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

SEAN M. DONAHUE,  
Plaintiff

v.

ELAINE STOLFA, ET AL.,  
Defendants

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CIVIL ACTION NO. 3:13-CV-1276

(JUDGE NEALON)  
(MAGISTRATE JUDGE BLEWITT)

**FILED**  
**SCRANTON**  
JUL 30 2013

**ORDER**

PER h  
DEPUTY CLERK

NOW, THIS 30<sup>th</sup> DAY OF JULY, 2013, for the reasons set forth in the Memorandum

issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation, (Doc. 10), is **ADOPTED**:
  - A. The Complaint, (Doc. 1), is **DISMISSED with prejudice**;
  - B. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 5), is **GRANTED** for the sole purpose of filing this action;
2. Plaintiff's motion to appoint counsel, (Doc. 12), is **DENIED**;
3. The Clerk of Court is directed to **CLOSE** this case; and
4. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.

  
United States District Judge